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217400
Mack H. Shumate, Jr.
Senior General Attorney, Law Department

August 28, 2003



VIA U.P.S. OVERNIGHT

Surface Transportation Board
Section of Environmental Analysis
1925 "K" St., N.W., Room 504
Washington, DC 20423-0001

ENTERED
Office of Proceedings

AUG 30 2006

Part of
Public Record

Attention: Victoria Rutson

Re: Proposed Abandonment of the Kerrville Subdivision from M. P. 252.92 to M. P. 256.0 near Beckmann in Bexar County, Texas; STB Docket No. AB-33 (Sub-No. 236X), Union Pacific Railroad Company - Abandonment Exemption; and Docket No. AB-576 (Sub-No. 2X), Alamo Gulf Coast Railroad Company - Discontinuance Exemption

Dear Ms. Rutson:

Enclosed for filing in the above-referenced docket is the original and ten (10) copies of a Combined Environmental and Historic Report prepared pursuant to 49 C.F.R. §1105.7 and §1105.8, with a Certificate of Service, and a transmittal letter pursuant to 49 C.F.R. §1105.11.

Union Pacific anticipates filing a Petition for Exemption in this matter on or after September 18, 2006.

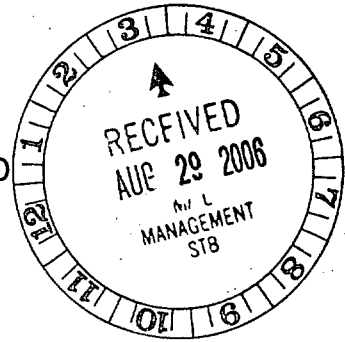
Sincerely,

Mack H. Shumate, Jr.
Senior General Attorney

Enclosures

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BEFORE THE
SURFACE TRANSPORTATION BOARD



Docket No. AB-33 (Sub-No. 236X)
UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --

Docket No. AB-576 (Sub-No. 2X)
ALAMO GULF COAST RAILROAD COMPANY
DISCONTINUANCE EXEMPTION

IN BEXAR COUNTY, TEXAS
(KERRVILLE SUBDIVISION)

ENTERED
Office of Proceedings
AUG 30 2006
Part of
Public Record

Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY
Mack H. Shumate, Jr., Senior General Attorney
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
(312) 777-2055
(312) 777-2065 FAX

ALAMO GULF COAST RAILROAD COMPANY
Richard A. Allen
Zuckert, Scoutt & Rasenberger, LLP
888 17th Street, N. W.
Washington D. C. 20006
(202) 973-7902
(202) 342-0683 FAX

Dated: August 28, 2006
Filed: August 29, 2006

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 236X)
UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --

Docket No. AB-576 (Sub-No. 2X)
ALAMO GULF COAST RAILROAD COMPANY
DISCONTINUANCE EXEMPTION

IN BEXAR COUNTY, TEXAS
(KERRVILLE SUBDIVISION)

Combined Environmental and Historic Report

Union Pacific Railroad Company ("UP") and Alamo Gulf Coast Railroad Company ("AGCR") submit this Combined Environmental and Historic Report pursuant to 49 C.F.R. §1105.7(e) and 49 C.F.R. §1105.8(d), respectively, for an exempt abandonment and discontinuance of service over the Kerrville Subdivision from M. P. 253.09 to M. P. 256.0 near Beckman, a distance of 2.91 miles in Bexar County, Texas (the "Line"). The Line traverses U. S. Postal Service Zip Code 78028 and 78029.

The UP anticipates that a Petition for Exemption to abandon the Line will be filed at the STB on or after September 18, 2006.

A map of the Line marked **Attachment No. 1** is attached hereto and hereby made part hereof. UP's letter to federal, state and local government agencies marked **Attachment No. 2** is attached hereto and hereby made a part hereof. UP initially intended to propose a 3.08 mile abandonment beginning at milepost 252.92, which was illustrated

on the map originally sent to the agencies. UP subsequently determined to reduce the abandonment by 0.17 miles, and the beginning point reflected throughout this report is milepost 253.09. Responses, if any, received to UP's letters to date are attached and sequentially numbered.

ENVIRONMENTAL REPORT
49 C.F.R. § 1105.7(e)

(1) **Proposed action and alternatives.** Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

Response: The proposed action involves the abandonment (UP) and discontinuance of service (AGCR) over the Kerrville Subdivision from milepost 253.09 to milepost 256.0, a distance of 2.91 miles near Beckmann, in Bexar County, Texas. On September 15, 2005, the subject right-of-way was sold to Fourth Quarter Properties, a development company, that plans for the property to become part of a major shopping and entertainment center. UP retained for itself and its lessee, AGCR, an exclusive railroad easement and retained ownership of the track structure, which are the elements proposed for abandonment.

Two lumber distributors currently receive materials on the Line from AGCR. The developer has reached agreements with the distributors to construct a transload facility on reclassified track at the start of the proposed abandonment at milepost 253.09, and to operate the transload facility for the distributors. In return, the distributors have agreed to support the proposed abandonment. It is expected that the transload center will be operational prior to the STB ruling on the Petition for Exemption. Therefore, the abandonment will have no adverse effect on the distributors.

There appears to be no reasonable alternative to the abandonment. Traffic delivered to lumber customers on the Line will be shifted to the transload facility at milepost 253.09. No other industry in the area would be served by the Line. There is no overhead traffic.

The Line was constructed in 1890 by the San Antonio and Aransas Pass Railway. The southern two miles of the Line are laid with 136-pound rail, while the northern mile is laid with 90-pound rail.

The right-of-way, now sold, contained no federally granted right-of-way or reversionary property. Much of the right-of-way is adjacent to significant new private commercial development and it is expected that the new owner will use the right-of-way to enhance that development. Accordingly, the property proposed for abandonment does not appear suitable for public purposes. Any documentation in UP's possession will be made available to those requesting it.

A map of the Line is attached as **Attachment No. 1**.

(2) **Transportation system.** Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

Response: Traffic recently delivered to lumber customers on the Line will be shifted to a transload facility being built at milepost 253.09. Taking the 2005 volume of 106 carloads and assuming a maximum truck-to-rail car ratio of four-to-one, the abandonment will result in the potential annual addition of 840 loaded and empty trucks on area roads, or an average of less than four trucks per work day. This volume, moving relatively short distances, will have a negligible impact on this growing area of suburban San Antonio.

After abandonment, the closest rail location will be the UP-owned line at the southern end of the abandonment. This line is leased to AGCR and will continue to be served by AGCR commencing at milepost 253.09, the southern end of the abandonment. The area is well served by local roads and major highways; the Line is paralleled closely by both Interstate 10 and U. S. Route 87, north-south routes, and just to the south lies Loop 1604, a major ring road providing access to all parts of the San Antonio area.

(3) **Land use.** (i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

(iii) If the action effects land or water uses within a designated coastal zone, include the coastal zone information required by § 1105.9.

(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. § 10905 and explain why.

Response: (i) The Bexar County Commissioners Office has been contacted. To date UP has received no response.

(ii) The United States Natural Resources Conservation Service has been contacted and responded that the proposed abandonment does not contain Important Farmland Soils and is exempt from the FPPA law because the area is considered as already converted to urban land. The Natural Resources Conservation Service's response is attached as **Attachment No. 3**, and is hereby made part hereof.

(iii) Not Applicable.

(iv) The property is generally not suitable for other public purposes including roads or highways, other forms of mass transportation, conservation, energy production or transmission, because the right-of-way, now sold, is adjacent to significant new private commercial development and will be used to enhance that development.

(4) **Energy.** (i) Describe the effect of the proposed action on transportation of energy resources.

(ii) Describe the effect of the proposed action on recyclable commodities.

(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year, or

(B) an average of 50 rail carloads per mile per year for any part of the affected Line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.

Response: (i) There will be no effects on the transportation of energy resources.

(ii) There are no recyclable commodities handled over the Line.

(iii) Truck movements from the new transload facility will average between two and three miles and will substitute for a locomotive moving only one or two cars over the same distance, so there should be no noticeable effect on energy efficiency.

(iv)(A)(B) The rail-to-motor diversion will not exceed the stated thresholds.

(5) **Air.** (i) If the proposed action will result in either:

(A) an increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or

(B) an increase in rail yard activity of at least 100% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. § 10901 (or § 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in §§ (5)(i)(A) will apply.

Response: There is no such effect anticipated.

(5) **Air.** (ii) If the proposed action affects a class 1 or nonattainment area under the Clean Air Act, and will result in either:

(A) an increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or

(B) an increase in rail yard activity of at least 20% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. § 10901 (or 49 U.S.C. § 10505), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

Response: There will be no increase in rail traffic, rail yard activity, or truck traffic of these magnitudes as a result of the proposed action.

(5) **Air.** (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with

accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Response: The proposed action will not affect the transportation of ozone depleting materials.

(6) **Noise.** If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:

(i) an incremental increase in noise levels of three decibels Ldn or more or

(ii) an increase to a noise level of 65 decibels Ldn or greater.

If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area and quantify the noise increase for these receptors if the thresholds are surpassed.

Response: Not applicable.

(7) **Safety.** (i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

Response: (i) The proposed action will have no detrimental effects on public health and safety.

(ii) The proposed action will not affect the transportation of hazardous materials.

(iii) There are no known hazardous material waste sites or sites where known hazardous material spills have occurred on or along the subject right-of-way.

(8) **Biological resources.** (i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

Response: (i) The Texas Parks & Wildlife Department ("TP&WD") reviewed the proposed abandonment and recommended that the right-of-way fences be left in place following the abandonment. The TP&WD observed that portions of the Line pass through wooded areas that may provide suitable habitat for the Golden-cheeked Warbler and the Black-capped Vireo, and that any conversion to a recreational trail which could potentially preserve habitat for these species should be investigated. The Parks & Wildlife response is attached as **Attachment No. 4**, and is hereby made part hereof.

(ii) UP is not aware of any wildlife sanctuaries or refuges, or of any National or State parks or forests, that will be affected by the proposed abandonment.

(9) **Water.** (i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required.)

Response: (i) Region 6 of the Environmental Protection Agency has been contacted. To date UP has received no response.

(ii) The U.S. Army Corps of Engineers has been contacted and, based on its review, concluded the proposed abandonment did not require any Department

of the Army authorization. The Corps of Engineers response is attached as **Attachment No. 5**, and is hereby made part hereof.

(iii) It is not anticipated there will be any requirements for Section 402 permits.

(10) **Proposed Mitigation.** Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

Response: There are no known adverse environmental impacts.

HISTORIC REPORT
49 C.F.R. § 1105.8(d)

(1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action:

Response: See **Attachment No. 1**.

(2) A written description of the right-of-way (including approximate widths to the extent known), and the topography and urban and/or rural characteristics of the surrounding area:

Response: The Line runs through the northwestern suburbs of San Antonio in a modestly hilly area that is seeing increasing residential and commercial/retail development.

(3) Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area:

Response: The Texas Historical Commission has been provided with photographs of each of the structures on the property that are 50 years old or older. A copy of the letter to the Historical Commission and photographs are attached as **Attachment No. 6**, and is hereby made part hereof. The Texas Historical Commission

stated that no historic properties were affected by the proposed abandonment based on review of the map provided as **Attachment No. 1**, and this response is attached as **Attachment No. 7**, and is hereby made part hereof. The Texas Historical Commission's review of the pictures provided by UP of the bridges on the Kerrville Subdivision is signed August 16th, 2006 and attached hereto as **Attachment No. 8** and is hereby made a part hereof. This review determined that there are no Historic Properties Affected and that the abandonment project may proceed.

(4) The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations to the extent such information is known:

Response: Not applicable.

(5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action:

Response: See the preceding pages for a brief history and description of carrier operations.

(6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic:

Response: Not applicable.

(7) An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. § 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities):

Response: At this time, UP and AGCR know of no historic sites or structures or archeological resources on the Line or in the project area. UP and AGCR believe that there is nothing in the scope of the project that merits historical comment and that any

archeological sites within the scope of the right-of-way would have previously been disturbed during the construction of the Line.

(8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain:

Response: UP and AGCR do not have any such readily available information.

(9) Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specified nonrailroad owned properties or group of properties immediately adjacent to the railroad right-of-way. Photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the locations and type of the site (i.e., prehistoric or native American):

Response: Not applicable.

Dated this 28th day of August, 2006.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY



Mack H. Shumate, Jr.
Senior General Attorney
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
(312) 777-2055
(312) 777-2065 FAX

ALAMO GULF COAST RAILROAD COMPANY



Richard A. Allen
Zuckert, Scoutt & Rasenberger, LLP
888 17th Street, N. W.
Washington D. C. 20006
(202) 973-7902; (202) 342-0683 FAX

CERTIFICATE OF SERVICE
OF THE
COMBINED ENVIRONMENTAL AND HISTORIC REPORT

The undersigned hereby certifies that a copy of the foregoing Combined Environmental and Historic Report in Docket No. AB-33 (Sub-No. 236X) for the Kerrville Subdivision in Bexar County, Texas was served by first class mail on the 28th day of August, 2006 on the following:

State Clearinghouse (or alternate):

Tom Adams
Governor's Office of Budget and Planning
P.O. Box 12428
Austin, TX 78711

State Environmental Protection Agency:

Texas Natural Resource Conservation
Commission
Ken Patterson, Deputy Director
P.O. Box 13087, m145
Austin, TX 78711-3087

State Coastal Zone Management Agency

(if applicable):

Not applicable.

Head of County (Planning):

Bexar County Commissioners
100 Dolorosa Street, First Floor
County Courthouse
San Antonio, TX 78205-3038

Environmental Protection Agency
(regional office):

U.S. Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

U.S. Fish and Wildlife:

U.S. Fish & Wildlife Service
Southwest Region 2
U.S. Fish & Wildlife Service
500 Gold Avenue SW - Room 4000
Albuquerque, NM 87102

U.S. Army Corps of Engineers:

Fort Worth District
U.S. Army Corps of Engineers
P. O. Box 17300
Fort Worth, TX 76102-0300

National Park Service:

National Park Service
12795 Alameda Parkway
Denver, CO 80228

U.S. Natural Resources Conservation Service:

USDA, Natural Resources Conservation Service
Soil Survey Section
W R Poage Federal Bldg.
101 South Main Street
Temple, TX 76501-7682

National Geodetic Survey:

National Geodetic Survey
Edward J. McKay, Chief
Spatial Reference System Division
NOAA N/NGS2
1315 E-W Highway
Silver Spring, MD 20910-3282

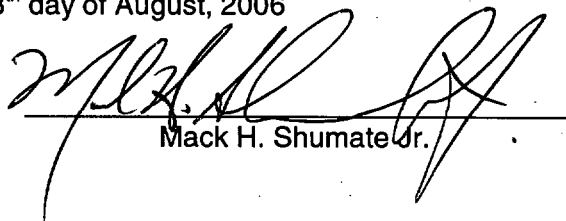
State Historic Preservation Office:

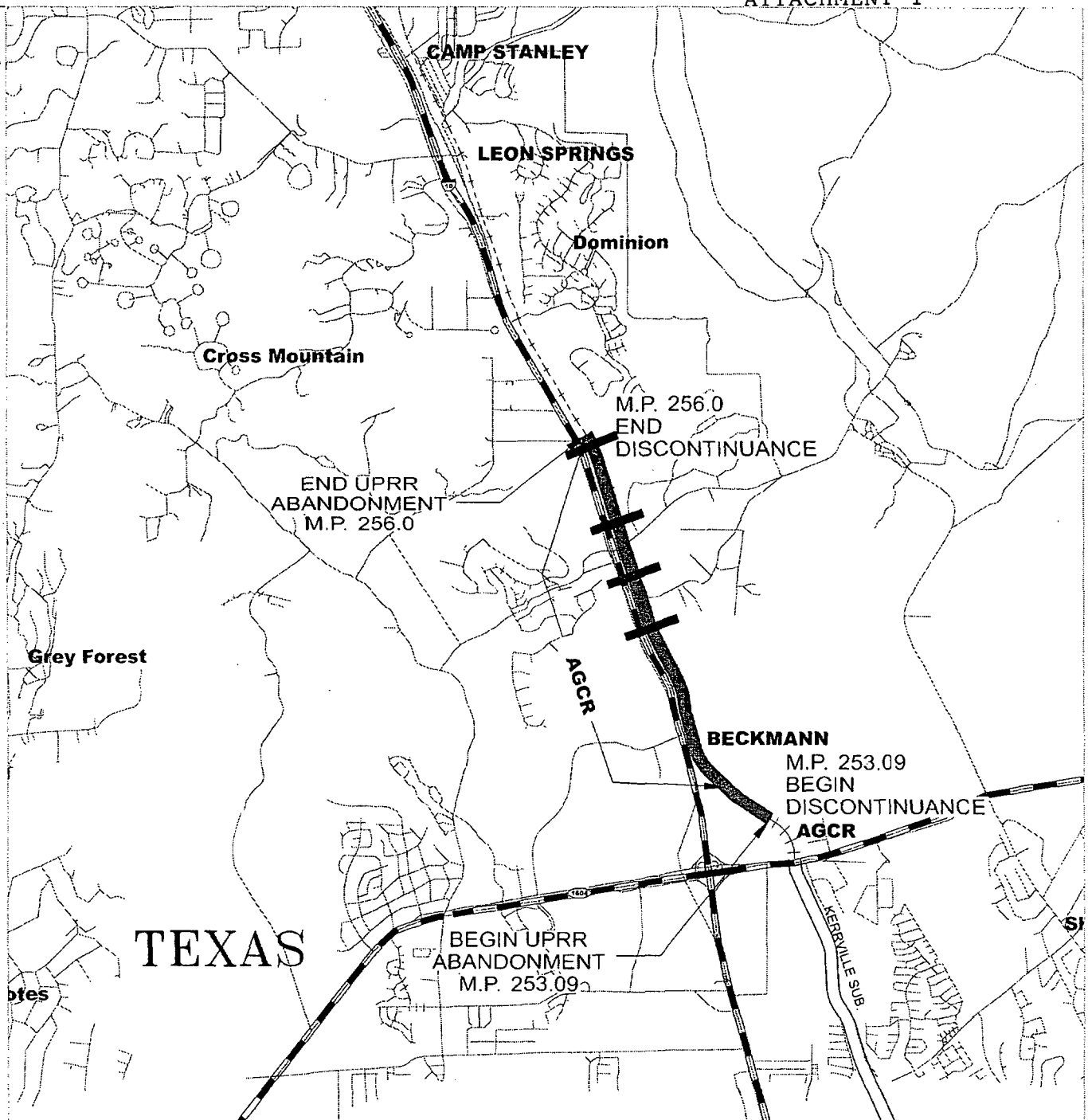
Texas Historical Commission
James W. Steely
History Program Division
P. O. Box 12276
Austin, TX 78711-2276

Other Agencies Consulted:

Texas Parks & Wildlife
Andrew Swanson
4200 Smith School Road
Austin, TX 78744-3291

Dated this 28th day of August, 2006


Mack H. Shumate Jr.



BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
253.68	12 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	180'	1948
254.93	2 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	26'	1918
255.33	7 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	91'	1918
255.91	6 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	78'	1918

LEGEND

- UPRR LINES TO BE ABANDONED
- OTHER UPRR LINES
- OTHER RAILROADS
- RAILROADS (abandoned)
- PRINCIPAL HIGHWAYS
- OTHER ROADS
- 50+ YEAR OLD STRUCTURES

KERRVILLE SUBDIVISION

MP 256.0 TO MP 253.09
2.91 MILES IN BEXAR COUNTY

UNION PACIFIC RAILROAD CO.
ALAMO GULF COAST RR, LESSEE
KERRVILLE SUBDIVISION
TEXAS

INCLUDING 50+ YEAR OLD STRUCTURES

SCALE MILES

FILE: O:\abandonments\ab0357_kerrville_v8.dgn

DATE: 31-May-06 12:26

AB33-(Sub-N0. 236X)



(402) 501-0127 (FAX)

April 24, 2006

State Clearinghouse (or alternate):

Tom Adams
Governor's Office of Budget and Planning
P.O. Box 12428
Austin, TX 78711

State Environmental Protection Agency:

Texas Natural Resource Conservation
Commission
Ken Patterson, Deputy Director
P.O. Box 13087, m145
Austin, TX 78711-3087

**State Coastal Zone Management Agency
(if applicable):**

Not applicable.

Head of County (Planning):

Bexar County Commissioners
100 Dolorosa Street, First Floor
County Courthouse
San Antonio, TX 78205-3038

**Environmental Protection Agency
(regional office):**

U.S. Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

U.S. Fish and Wildlife:

U.S. Fish & Wildlife Service
Southwest Region 2
U.S. Fish & Wildlife Service
500 Gold Avenue SW - Room 4000
Albuquerque, NM 87102

U.S. Army Corps of Engineers:

Fort Worth District
U.S. Army Corps of Engineers
P. O. Box 17300
Fort Worth, TX 76102-0300

National Park Service:

National Park Service
William D. Shaddox
Chief, Land Resources Division
800 North Capitol Street, NE., Room 540
Washington, D.C. 20002

U.S. Natural Resources Conservation Service:

USDA, Natural Resources Conservation Service
Soil Survey Section
W R Poage Federal Bldg.
101 South Main Street
Temple, TX 76501-7682

National Geodetic Survey:

National Geodetic Survey
Edward J. McKay, Chief
Spatial Reference System Division
NOAA N/NGS2
1315 E-W Highway
Silver Spring, MD 20910-3282

State Historic Preservation Office:

Texas Historical Commission
James W. Steely
History Program Division
P. O. Box 12276
Austin, TX 78711-2276

Other Agencies Consulted:

Texas Parks & Wildlife
Andrew Swanson
4200 Smith School Road
Austin, TX 78744-3291

Re: Proposed Abandonment of the Kerrville Subdivision from M. P. 252.92 to M. P. 256.0 near Beckmann in Bexar County, Texas; STB Docket No. AB-33 (Sub-No. 236X), Union Pacific Railroad Company - Abandonment Exemption; and Docket No. AB-576 (Sub-No. 2X), Alamo Gulf Coast Railroad Company - Discontinuance Exemption

Law Department

UNION PACIFIC RAILROAD
1400 Douglas St., Stop 1580, Omaha, NE 68179-1580
fx. (402) 501-0127

Dear Sirs:

Union Pacific Railroad Company and Alamo Gulf Coast Railroad Company plan to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Kerrville Subdivision from M. P. 252.92 to M. P. 256.0 near Beckmann, a distance of 3.08 miles in Bexar County, Texas. A map of the proposed track abandonment shown in black is attached.

Pursuant to the STB's regulations at 49 C.F.R. Part 1152, and the environmental regulations at 40 C.F. R. Part 1105.7, this is to again request your assistance in identifying any potential effects of this action as indicated in the paragraphs below. We do not anticipate any adverse environmental impacts. However, if you identify any adverse environmental impacts, describe any actions that are proposed in order to mitigate the environmental impacts. Please provide us with a written response that can be included in an Environmental Report, which will be sent to the STB.

LOCAL AND/OR REGIONAL PLANNING AGENCIES. State whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

U. S. SOIL CONSERVATION SERVICE. State the effect of the proposed action on any prime agricultural land.

U. S. FISH AND WILDLIFE SERVICE (And State Game And Parks Commission, If Addressed). State (1) whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects, and, (2) whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

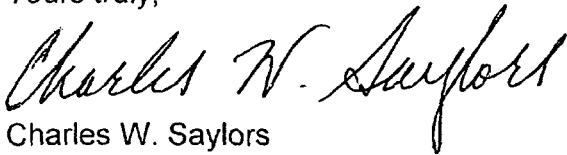
STATE WATER QUALITY OFFICIALS. State whether the proposed action is consistent with applicable Federal, State or Local water quality standards. Describe any inconsistencies.

U. S. ARMY CORPS OF ENGINEERS. State (1) whether permits under Section 404 of the Clean Water Act (33 U.S. C. § 1344) are required for the proposed action and (2) whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

U. S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY). (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials involved, and (3) state whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action.

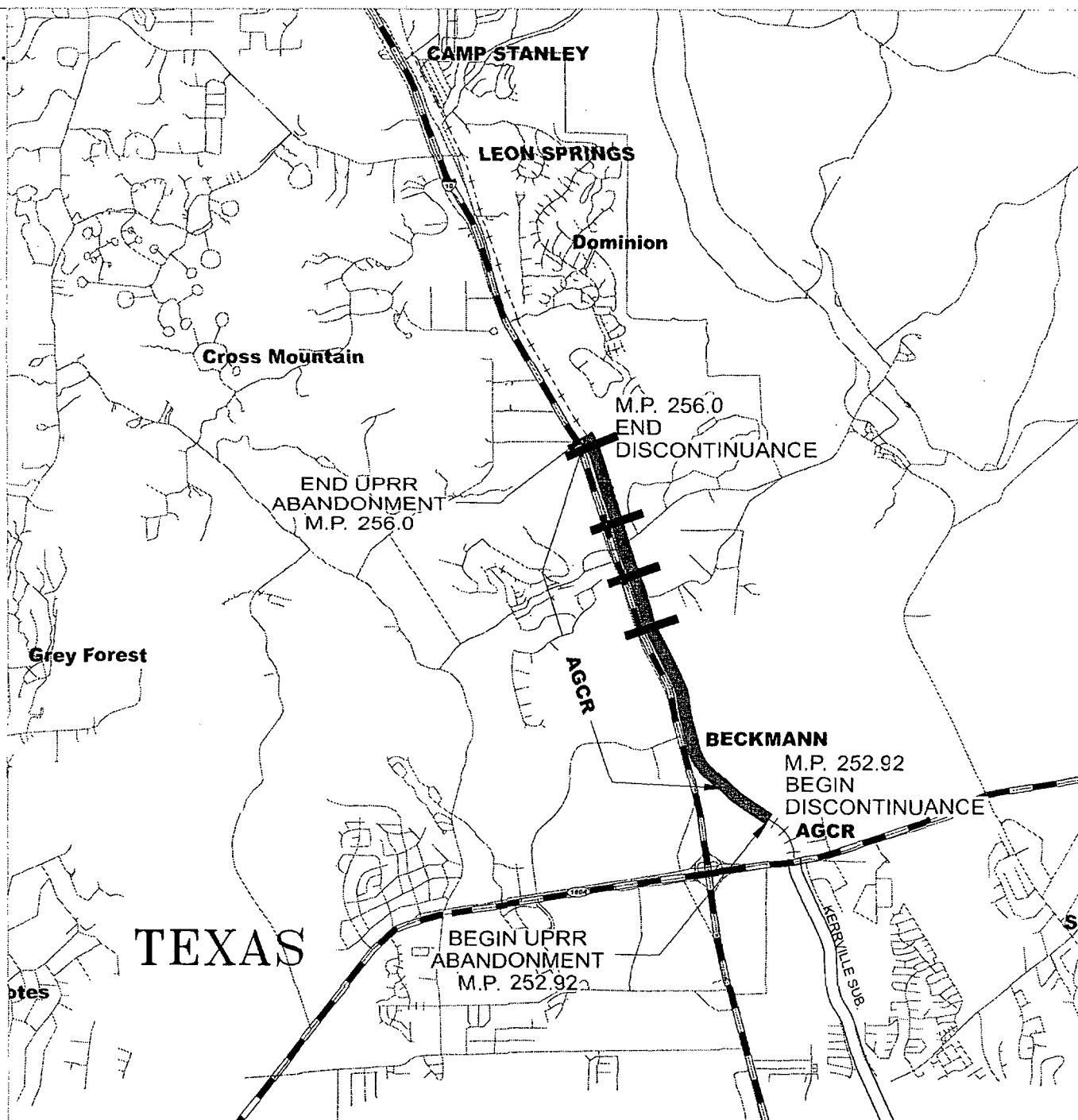
Thank you for your assistance. Please send your reply to Union Pacific Railroad, Mr. Chuck Saylor, 1400 Douglas Street, Mail Stop 1580, Omaha, NE, 68179. If you need further information, please contact me at (402) 544-4861.

Yours truly,

A handwritten signature in black ink that reads "Charles W. Saylor". The signature is written in a cursive style with a large, stylized "C" and "S".

Charles W. Saylor

Attachment



BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
253.68	12 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	180'	1948
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LEGEND

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- OTHER UPRR LINES
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- 50+ YEAR OLD STRUCTURES

KERRVILLE SUBDIVISION

MP 256.0 TO MP 252.92
3.08 MILES IN BEXAR COUNTY

UNION PACIFIC RAILROAD CO.
ALAMO GULF COAST RR, LESSEE
KERRVILLE SUBDIVISION
TEXAS

INCLUDING 50+ YEAR OLD STRUCTURES

SCALE MILES

FILE: 0:\abandonments\ab0357_kerrville_v8.dgn

DATE: 20-Apr-06 14:23

United States Department of Agriculture



Natural Resources Conservation Service
101 South Main Street
Temple, TX 76501-7602

May 22, 2006

Union Pacific Railroad
1400 Douglas Street, Mail Stop 1580
Omaha, Nebraska, 68179

Attention: Mr. Charles W. Saylor, Law Department

Subject: LNU-Farmland Protection-
Abandonment of 3.08 miles Alamo Gulf Coast RR
Bexar County, Texas

We have reviewed the information provided concerning the proposed Abandonment of 3.08 miles of the Alamo Gulf Coast Railroad in Bexar County, Texas as outlined in your letter of April 24, 2006. This is part of NEPA evaluation for the Surface Transportation Board. We have evaluated the proposed site as required by the Farmland Protection Policy Act (FPPA).

The proposed project does not contain Important Farmland Soils and is exempt from the FPPA law because the area is considered as already converted to urban land. The FPPA law excludes from the definition of "farmland" areas that contain more than 30 structures per 40 acres. These areas would be considered as previously converted to urban land. We have completed an AD-1006 form indicating the exemption.

I have attached the completed AD-1006 (Farmland Conversion Impact Rating) form for this project. Thanks for the resource materials you submitted to evaluate this project. If you have any questions please call James Greenwade at (254)-742-9960, Fax (254)-742-9859.

Thanks,

A handwritten signature in cursive script, appearing to read "James M. Greenwade", is written over the typed name.

James M. Greenwade
Soil Scientist
Soil Survey Section
USDA-NRCS, Temple, Texas

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request April 24,2006				
Name of Project Abandonment of 3.08 mile RR		Federal Agency Involved Surface Transportation Board				
Proposed Land Use Unknown		County and State Bexar County, Texas				
PART II (To be completed by NRCS)		Date Request Received By NRCS 4-26-2006		Person Completing Form: James Greenwade		
Does the site contain Prime, Unique, Statewide or Local Important Farmland? (If no, the FPPA does not apply - do not complete additional parts of this form)		YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Acres Irrigated	Average Farm Size	
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres: %	Amount of Farmland As Defined in FPPA Acres: %				
Name of Land Evaluation System Used	Name of State or Local Site Assessment System	Date Land Evaluation Returned by NRCS				
PART III (To be completed by Federal Agency)		Alternative Site Rating				
		Site A	Site B	Site C	Site D	
A. Total Acres To Be Converted Directly						
B. Total Acres To Be Converted Indirectly						
C. Total Acres In Site						
PART IV (To be completed by NRCS) Land Evaluation Information						
A. Total Acres Prime And Unique Farmland						
B. Total Acres Statewide Important or Local Important Farmland						
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted						
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value						
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)						
PART VI (To be completed by Federal Agency) Site Assessment Criteria (Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)		Maximum Points	Site A	Site B	Site C	Site D
1. Area In Non-urban Use		(15)				
2. Perimeter In Non-urban Use		(10)				
3. Percent Of Site Being Farmed		(20)				
4. Protection Provided By State and Local Government		(20)				
5. Distance From Urban Built-up Area		(15)				
6. Distance To Urban Support Services		(15)				
7. Size Of Present Farm Unit Compared To Average		(10)				
8. Creation Of Non-farmable Farmland		(10)				
9. Availability Of Farm Support Services		(5)				
10. On-Farm Investments		(20)				
11. Effects Of Conversion On Farm Support Services		(10)				
12. Compatibility With Existing Agricultural Use		(10)				
TOTAL SITE ASSESSMENT POINTS		160				
PART VII (To be completed by Federal Agency)						
Relative Value Of Farmland (From Part V)		100				
Total Site Assessment (From Part VI above or local site assessment)		160				
TOTAL POINTS (Total of above 2 lines)		260				
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>				
Reason For Selection:						
Name of Federal agency representative completing this form:						
Date:						



June 22, 2006

Charles Saylor
 Union Pacific Railroad
 1400 Douglas St., Mail Stop 1580
 Omaha, NE 68179

COMMISSIONERS

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PHILIP MONTGOMERY
 DALLAS

JOHN D. PARKER
 LUFKIN

LEE M. BASS
 CHAIRMAN-EMERITUS
 FORT WORTH

ROBERT L. COOK
 EXECUTIVE DIRECTOR

RE: Proposed abandonment of section of Union Pacific Railroad Company
 Kerrville Subdivision line, Bexar County, Texas

Dear Mr. Saylor:

Thank you for coordinating with Texas Parks and Wildlife Department (TPWD) regarding the proposed project referenced above. TPWD staff reviewed the proposed abandonment project and offers the following comments concerning the project.

The proposed project entails the abandonment of 3.08 miles of railway from milepost 252.92 to milepost 256.0 near Beckmann. The existing rail right-of-way (ROW) is in close proximity to and parallels Interstate Highway (IH) 10 north out of San Antonio.

Vegetation assemblages occurring within railroad rights-of-way generally provide higher quality wildlife habitat than surrounding areas due to the exclusion of livestock grazing or other development. Retention and use of existing fencing to preclude livestock grazing will continue to enhance the quality of wildlife habitat by allowing the growth of woody cover and provide additional vegetation diversity. Therefore, TPWD recommends leaving right-of-way fences in place following the abandonment of the railway. The vegetation in the general area this particular rail line occurs in consists of a mixture of Live Oak and Ashe Juniper trees. Two federally and state listed endangered bird species, the Golden-cheeked Warbler (*Dendroica chrysoparia*) and the Black-capped Vireo (*Vireo atricapillus*) occur in oak-juniper woodlands. Review of aerial photography (1995) indicates that portions of the line proposed for abandonment pass through wooded areas that may provide suitable habitat for these two species.

The potential of converting the abandoned rail line to a recreational trail that could potentially preserve habitat for listed species should be investigated. Assistance in planning for land use conversion to recreational use can be obtained from Andrew Goldbloom (512-389-4737) with the State Parks Division.

Thank you for providing the opportunity to comment on this project. Please contact me at (361) 825-3240 if we may be of further assistance.



Take a kid
 hunting or fishing



Visit a state park
 or historic site

Sincerely,

Russell Hooten

Russell Hooten
Wildlife Habitat Assessment Program
Wildlife Division

/rh



DEPARTMENT OF THE ARMY
FORT WORTH DISTRICT, CORPS OF ENGINEERS
P. O. BOX 17300
FORT WORTH, TEXAS 76102-0300

REPLY TO
ATTENTION OF:

July 26, 2006

Planning, Environmental, and Regulatory Division
Regulatory Branch

SUBJECT: Project Number 200600316

Mr. Charles Saylor
Union Pacific Railroad Company
1400 Douglas Street
Omaha, Nebraska 68179-0001

Dear Mr. Saylor:

Thank you for your letter of April 24, 2006, concerning a proposal by Union Pacific Railroad Company and Alamo Gulf Coast Railroad Company to abandon in place approximately 3.08 miles of the Kerrville Subdivision from mile post 252.92 to 256.0 in the City of Beckmann, Bexar County, Texas. This project has been assigned Project Number 200600316. Please include this number in all future correspondence concerning this project. Failure to reference the project number may result in a delay.

We have reviewed this project in accordance with Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. Under Section 404, the U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged and fill material into waters of the United States, including wetlands. The USACE responsibility under Section 10 is to regulate any work in, or affecting, navigable waters of the United States. Based on your description of the proposed work, other information available to us, and current regulations and policy, we have determined that this project will not involve any of the above activities. Therefore, it will not require Department of the Army authorization under the above laws. However, it is incumbent upon you to remain informed of any changes in USACE Regulatory Program regulations and policy as they relate to your project.

The USACE based this decision on a preliminary jurisdictional determination (JD) that there are waters of the United States on the project site. This preliminary JD is valid for a period of no more than five years from the date of this letter unless new information warrants revision of the delineation before the expiration date. It is incumbent upon the applicant to remain informed of changes in the Department of the Army regulations.

Thank you for your interest in our nation's water resources. If you have any questions concerning our regulatory program, please contact Ms. Kelly Allen at the address above or telephone (817)886-1732.

Sincerely,


Wayne A. Lea
Chief, Regulatory Branch

Enclosure

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Union Pacific Railroad Company & Alamo Gulf Coast Railroad Company

File Number: 200600316

Date: July 26, 2006

Attached

See section below

<input type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of Permission)
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of Permission)
<input type="checkbox"/>	PERMIT DENIAL
<input type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION
<input checked="" type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION

A
B
C
D
E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg/> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved jurisdictional determination (JD) or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Ms. Kelly Allen at (817)886-1732

If you only have questions regarding the appeal process you may also contact:

Mr. Jim Gilmore at (214) 767-2457

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process.

Signature of appellant or authorized agent

Date:

Telephone number:



August 2, 2006

Texas Historical Commission
 James W. Steely
 History Program Division
 P. O. Box 12276
 Austin, TX 78711-2276

Re: Proposed Abandonment of the Kerrville Subdivision from M. P. 252.92 to M. P. 256.0 near Beckmann in Bexar County, Texas; STB Docket No. AB-33 (Sub-No. 236X), Union Pacific Railroad Company - Abandonment Exemption; and Docket No. AB-576 (Sub-No. 2X), Alamo Gulf Coast Railroad Company - Discontinuance Exemption

Dear Sir:

Enclosed for your review are six photographs, two each of three of the four bridges located on the Kerrville Subdivision which are over 50 years old, along with a map of the proposed abandonment. The bridges are described as follows:

<u>Milepost</u>	<u>Description</u>	<u>Length</u>	<u>Year Constructed</u>
253.68	12 Span Timber Pile Trestle Open Deck (TPTOD)	180 Ft.	1948
254.93	2 Span TPTOD	26 Ft.	1918
255.33	7 Span TPTOD	91 Ft.	1918

Pictures of the fourth bridge, located at milepost 255.91, have not been provided because it is covered with foliage, debris, etc. Our records show it is a 78-foot, 6-span timber pile trestle open deck bridge built in 1918 with no characteristics differing it from the other 1918 bridges listed above. Therefore, we feel it has the same historic significance as the other 1918 bridges and do not plan to have pictures taken of the fourth bridge unless you determine it is necessary.

Please advise if you believe there is historical significance to any of the bridges.
 Thank you for your assistance.

Sincerely,

Charles W. Saylor
 Charles W. Saylor
 (402) 544-4861

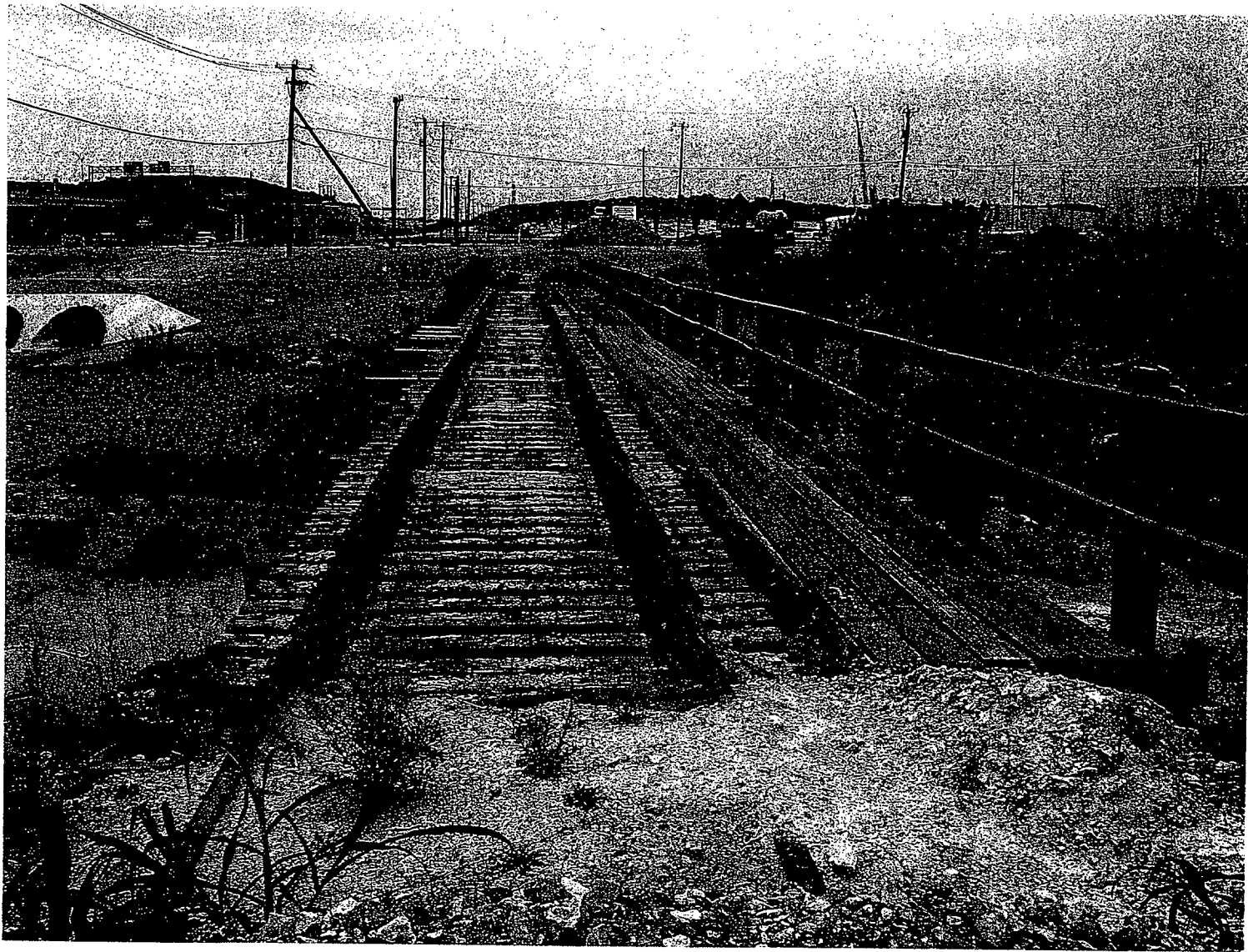
Attachments

Law Department

UNION PACIFIC RAILROAD
 1400 Douglas St., Stop 1580, Omaha, NE 68179-1580
 fx. (402) 501-0127



MP 253.68



MP 253.68



MP 254.93



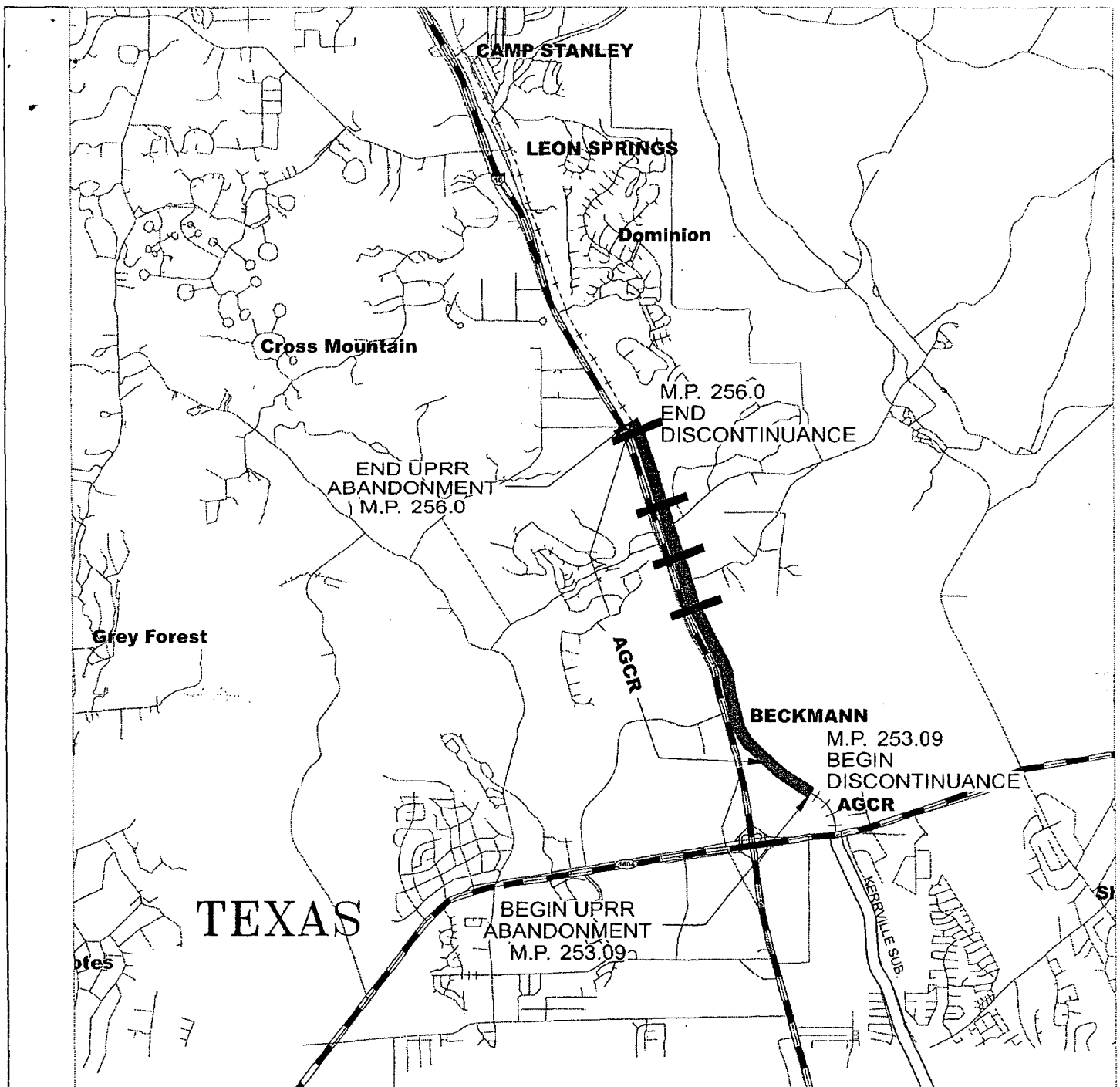
MP 254.93



MP 255.33



MP 255.33



BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
253.68	12 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	180'	1948
254.93	2 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	26'	1918
255.33	7 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	91'	1918
255.91	6 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	78'	1918

LEGEND

- UPRR LINES TO BE ABANDONED
- OTHER UPRR LINES
- OTHER RAILROADS
- RAILROADS (abandoned)
- PRINCIPAL HIGHWAYS
- OTHER ROADS
- 50+ YEAR OLD STRUCTURES

KERRVILLE SUBDIVISION

MP 256.0 TO MP 253.09
2.91 MILES IN BEXAR COUNTY

UNION PACIFIC RAILROAD CO.
ALAMO GULF COAST RR, LESSEE
KERRVILLE SUBDIVISION
TEXAS

INCLUDING 50+ YEAR OLD STRUCTURES

SCALE MILES

FILE: Q:\abandonments\ab0357_kerrville_v8.dgn

DATE: 31-May-06 12:26

APR 27 2006



April 24, 2006

**NO HISTORIC
PROPERTIES AFFECTED
PROJECT MAY PROCEED**

(402) 501-0127 (FAX)

By [Signature]
for F. Lawrence Oaks
State Historic Preservation Officer

Date 5/1/06

State Clearinghouse (or alternate):

Tom Adams
Governor's Office of Budget and Planning
P.O. Box 12428
Austin, TX 78711

State Environmental Protection Agency:

Texas Natural Resource Conservation
Commission
Ken Patterson, Deputy Director
P.O. Box 13087, m145
Austin, TX 78711-3087

**State Coastal Zone Management Agency
(if applicable):**

Not applicable.

Head of County (Planning):

Bexar County Commissioners
100 Dolorosa Street, First Floor
County Courthouse
San Antonio, TX 78205-3038

**Environmental Protection Agency
(regional office):**

U.S. Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

U.S. Fish and Wildlife:

U.S. Fish & Wildlife Service
Southwest Region 2
U.S. Fish & Wildlife Service
500 Gold Avenue SW - Room 4000
Albuquerque, NM 87102

U.S. Army Corps of Engineers:

Fort Worth District
U.S. Army Corps of Engineers
P. O. Box 17300
Fort Worth, TX 76102-0300

National Park Service:

National Park Service
William D. Shaddox
Chief, Land Resources Division
800 North Capitol Street, NE., Room 540
Washington, D.C. 20002

U.S. Natural Resources Conservation Service:

USDA, Natural Resources Conservation Service
Soil Survey Section
W R Poage Federal Bldg.
101 South Main Street
Temple, TX 76501-7682

National Geodetic Survey:

National Geodetic Survey
Edward J. McKay, Chief
Spatial Reference System Division
NOAA N/NGS2
1315 E-W Highway
Silver Spring, MD 20910-3282

State Historic Preservation Office:

Texas Historical Commission
James W. Steely
History Program Division
P. O. Box 12276
Austin, TX 78711-2276

Other Agencies Consulted:

Texas Parks & Wildlife
Andrew Swanson
4200 Smith School Road
Austin, TX 78744-3291

Re: Proposed Abandonment of the Kerrville Subdivision from M. P. 252.92 to M. P. 256.0 near Beckmann in Bexar County, Texas; STB Docket No. AB-33 (Sub-No. 236X), Union Pacific Railroad Company - Abandonment Exemption; and Docket No. AB-576 (Sub-No. 2X), Alamo Gulf Coast Railroad Company - Discontinuance Exemption

Law Department

UNION PACIFIC RAILROAD
1400 Douglas St., Stop 1580, Omaha, NE 68179-1580
fx. (402) 501-0127



August 2, 2006

AUG 7 2006

Texas Historical Commission
James W. Steely
History Program Division
P. O. Box 12276
Austin, TX 78711-2276

Re: Proposed Abandonment of the Kerrville Subdivision from M. P. 252.92 to M. P. 256.0 near Beckmann in Bexar County, Texas; STB Docket No. AB-33 (Sub-No. 236X), Union Pacific Railroad Company - Abandonment Exemption; and Docket No. AB-576 (Sub-No. 2X), Alamo Gulf Coast Railroad Company - Discontinuance Exemption

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NO HISTORIC
PROPERTIES AFFECTED
PROJECT MAY PROCEED

By [Signature]
for F. Lawrence Oaks
State Historic Preservation Officer
Date 8/16/06

Sincerely,

[Signature]
Charles W. Saylor
(402) 544-4861

Attachments

Law Department

UNION PACIFIC RAILROAD
1400 Douglas St., Stop 1580, Omaha, NE 68179-1580
fx. (402) 501-0127